

REMARKS

Claims 1-21 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 102(e) Rejection:

The Examiner rejected claims 1-5, 8-12 and 15-19 under 35 U.S.C. § 102(e) as being anticipated by Billington et al (U.S. Patent 7,103,760) (hereinafter, “Billington”). Applicants respectfully traverse this rejection and submit that these claims are not in fact anticipated by Billington, for at least the following reasons.

Billington fails to teach or suggest all of the limitations of Applicants’ claim 1. Specifically, Billington fails to teach or suggest a system comprising a server configured to execute an application; a stateless client configured to communicate with the server, and further configured such that during use, a user interacts with the application via the stateless client; and a mass storage device locally coupled to the stateless client, wherein the mass storage device is accessible by the user via the server; and wherein the server is further configured to store data to the mass storage device via the stateless client in response to the user’s interaction with the application.

In rejecting claim 1, the Examiner asserts that Billington discloses a thin client 12 having a locally connected mass storage device 80 (Figure 11; col. 13, line 19 to col. 14, line 16). The Examiner acknowledges that Billington does not “explicitly spell out how to store the data to mass storage [device] 80.” However, the Examiner asserts that “it is clear that the users of the thin clients use the resources provided by processor 14 comprising a server and the mass storage 80. The processor 14 uses peripheral devices including the mass storage 80 for storing data.”

Applicants traverse the Examiner’s assertions. Nowhere does Billington describe with any specificity how mass storage devices 80 are used relative to thin client 12 and

processor 14. Billington describes various applications that may be provided by the system as a whole (col. 14, lines 8-16). However, beyond disclosing the presence of mass storage devices 80 within the system, Billington provides no details whatsoever regarding the operation of such devices with relation to either thin client 12 or processor 14. The Examiner's assertions are merely assumptions regarding how Billington's system might operate that are unsupported by any positive disclosure within the Billington reference itself. Equally consistent with Billington's disclosure, in the absence of any teaching to the contrary, would be a thin client 12 that interacts directly with mass storage device 80 without intervention of processor 14, which would precisely contradict claim 1.

Applicants note that claim 1 does not merely recite that data is stored to a mass storage device locally coupled to a stateless client. It requires that the mass storage device be accessible by a user via a server, and further requires that the server be configured to store data to the mass storage device via the stateless client in response to the user's interaction with an application executed by the server. As noted above and as acknowledged by the Examiner, Billington is silent regarding how data is stored to mass storage device 80. As such, Billington cannot possibly meet the several specific limitations of claim 1 relating to the manner in which data is stored to the recited mass storage device.

Applicants further note that anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. M.P.E.P. 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The **identical invention** must be shown **in as complete detail** as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Billington fails to meet this standard with respect to claim 1 as well as similar independent claims 8 and 15. Therefore, Applicants submit that Billington cannot be said to anticipate the independent claims.

Section 103(a) Rejections:

The Examiner rejected claims 6, 13 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Billington in view of Pooni et al. (U.S. Publication 2004/0064461) (hereinafter “Pooni”), and claims 7, 14 and 21 as being unpatentable over Billington in view of Hochmuth et al. (U.S. Publication 2003/0056063) (hereinafter “Hochmuth”). Applicants traverse these rejections and note that the features noted above as being absent from Billington are also absent from Pooni and Hochmuth. Therefore, Applicants submit that the rejections of the dependent claims are unsupported for at least the reasons given above for the independent claims.

Applicants note that the § 102 and § 103 rejections of various ones of the dependent claims are unsupported by the cited references for additional reasons. However, as the rejections of the independent claims have been shown to be unsupported, further discussion of the dependent claims is unnecessary at this time.

CONCLUSION

Applicants respectfully submit that the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-76100/RCK.

Respectfully submitted,

/Robert C. Kowert/
Robert C. Kowert, Reg. #39,255
Attorney for Applicants

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8850

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